

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: George Kukolj et al.
Patent No.: 7,344,723
Application No.: 10/789,355
Confirmation No.: 9062
Issue Date: March 18, 2008
For: Self-Replicating RNA Molecule from Hepatitis C Virus
Docket No.: 13-083-3-D2

VIA EFS

Commissioner for Patents
Office of Patent Publication
ATTN: Certificate of Corrections Branch
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION OF CERTIFICATE OF CORRECTION
PURSUANT TO 37 C.F.R. § 1.322

Sir:

Enclosed herewith is a Certification of Correction pursuant to 37 C.F.R. § 1.322 for filing in the U.S. Patent and Trademark Office in connection with the above-identified patent.

The applicants submit the errors to claims 1 and 6 are a result of Office mistake.

Regarding claim 1 the applicants note the "Notice of Allowability" mailed October 30, 2007 is responsive to the "Amendment and Response to the Notice to Comply" filed on August 8, 2007. However, the Examiner apparently entered the claim set filed from an earlier response, specifically the claim set from the "Response to the Office Action" filed on December 15, 2006 or from the "Reply to Notice of Non-Compliant Amendment" filed on February 2, 2007. As such, claim 1 of the above-identified patent does not encompass the subject matter reflected in the claim set filed on August 8, 2007.

Regarding claim 6, in light of the "Telephonic Interview" on October 24, 2007, the applicants note that SEQ ID NO 6 should have been inserted in the claim. Additionally, paragraph 1 of the "Examiner's Amendment" mailed on October 30, 2007 states that authorization was given in the above telephone interview for the Examiner's amendment "Claim

17 (current amended). In line 3 after “5” insert – 6 –”. However, claim 6 of the above-identified patent does not reflect this amendment.

Thus, the applicants respectfully request the Director to issue a certificate of correction pursuant to 35 U.S.C. § 254 to correct the mistakes in the above-identified patent, incurred through the fault of the Office. In the event there are any additional fees due and owing in connection with this matter, please charge same to our Deposit Account No. 11-0223.

Respectfully submitted,

Dated: August 7, 2008

s/Timothy X. Gibson/
Timothy X. Gibson
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APPLICATION NO.: 10/789,355
ISSUE DATE : March 18, 2008
INVENTOR(S) : George Kukolj; Arnim Pause

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 165, line 8 after "G(2042)C" insert -- or G(2042)R --

Column 165, lines 10-11 "the coding region of 1377/NS2-3" construct (EMBL genebank accession number No. AJ242651)" should be changed to -- SEQ ID NO 30 --

Column 165, line 16 after "consisting of:" insert -- R(1135)K, S(1148)G, S(1560)G, K(1691)R, L(1701)F, --

Column 165, line 17 after "I(1984)V" insert -- , T(1993)A, S(2404)P, L(2155)P, P(2166)L, --

Column 166, line 12 after "5," insert -- 6, --

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Boehringer Ingelheim Corp., Patent Department
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This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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